

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|---------------------------------|---|----------------|
| TIMOTHY A. VAUGHN, | : | |
| | : | |
| Plaintiff, | : | |
| | : | CIVIL ACTION |
| v. | : | |
| | : | NO. 09-CV-3009 |
| MICHAEL J. ASTRUE, COMMISSIONER | : | |
| OF SOCIAL SECURITY, | : | |
| | : | |
| Defendant. | : | |

ORDER

AND NOW, this 19th day of April 2010, upon consideration of Plaintiff's Brief and Statement of Issues In Support of Request For Review (Doc. No. 14), Defendant's Response to Plaintiff's Request For Review (Doc. No. 15), and Plaintiff's Reply Brief (Doc. No. 18), and after a review of the Report and Recommendation filed by United States Magistrate Judge Arnold C. Rapoport (Doc. No. 19), it is **ORDERED** as follows:

1. The Report and Recommendation (Doc. No. 19) is **APPROVED** and **ADOPTED**.
2. Plaintiff's Request For Review is **GRANTED**, and the decision of the Commissioner of the Social Security Administration is **REVERSED** to the extent that the matter is **REMANDED** to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with United States Magistrate Judge Arnold C. Rapoport's Report and Recommendation (Doc. No. 19).

3. Judgment is entered in favor of Plaintiff, reversing the decision of the Commissioner for the purpose of this remand only.

BY THE COURT:

/s/ Judge Joel H. Slomsky
JOEL H. SLOMSKY, J.